ANNEXURE--II

THE MYSORE PUBLIC SERVICE COMMISSION (CONDUCT OF BUSINESS AND ADDITIONAL FUNCTIONS) (SECOND AMENDMENT) BILL, 1973

(L. A. BILL NO. 46 OF 1973)

A BILL further to amend the Mysore Public Service Commission (Conduct of Business and Additional Functions) Act, 1959.

WHEREAS it is expedient further to amend the Mysore Publlc Service Commission (Conduct of Business and Additional Functions) Act, 1959 (Mysore Act 20 of 1959);

BE it enacted by the Mysore State Legislature in the Twenty-fourth year of the Republic of India as follows :—

1. SHORT TITLE AND COMMENCEMENT.—(1) This Act may be called the Mysore Public Service Commission (Conduct of business and Additional Functions) (Second Amendment) Act, 1973.

(2) It shall come into force at once

2. AMENDMENT OF SECTION 9.—In Scetion 9 of the Mysore Public Service Commission (Conduct of Business and Additional Functions) Act, 1959 (Mysore Act 20 of 1959) (hereinafter referred to as the principal Act), for the word "two", the word "four" shall be substituted.

3. AMENDMENT OF SECTION 16.—Section 16 of the principal Act shall be renumbered as sub-section (1) thereof and after the said sub-section as so re-numbered the following sub-section shall be inserted, namely :—

"(2) Where persons in the services of any local authority or other body corporate constituted by law, are required to pass under the conditions of recruitment or service applicable to them any of the service examinations notified by the Government under sub-section (1), the Government may, in consultation with the commission by general order declare that the said persons shall be eligible to appear for the said service examinations and thereupon the said persons may appear the said service exammations, subject to such conditions as may be prescribed.

EXPLANATION.—For purposes of this sub-section, the expression 'local authority' shall have the meaning assigned to it in sub-section (3) of Section 17".

STATEMENT OF OBJECTS AND REASONS

Under Section 9 of the Act the quorum for a meeting of Public Service Commission is two. This was fixed when there were only three members in the Commission. The number of members has since been raised to seven. In view of this quorum requires to be re-fixed at four.

Under Section 16 of the Act, the Public Service Commission is required to hold service examinations only for Government servants. Some of the local authorities and statutory bodies have prescribed the same examinations as those prescribed for Government servants for their employees and they have requested that their employees may also be made eligible to appear for the service examinations conducted by the Public Service Commission, It is, therefore, proposed to amend Section 16.

Hence the Bill

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-section (2) of Section 16 propsed to be substituted by clause 3 of the Bill empowers the State Government to

prescribe by rules the conditions subject to which the persons in the services of any local authority or other body corporate constituted by law may appear for the service examinations which are required to be passed under the conditions of recruitment or service applicable to them.

The proposed delegation of legislative power is of a normal character.

D. DEVARAJ URS

Te. HANUMANTHAPPA,
Secretary.

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